

March 26, 2018

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WATER RESOURCES
WESTERN REGION

Nick Miller
Western Regional Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Subject: License No. 63-32066 – Petition for Reconsideration

Dear Nick:

On behalf of BID, LLC, please consider this letter as a Petition for Reconsideration of License 63-32066 issued on March 21, 2018.

In reviewing the license and field exam documents, we noted that the annual volume was calculated based on diversion of 20.5 cfs for 94 days. The 94 days assumed that diversions end on February 15. This assumption was based on a conversation during the field exam with the permit holder's representatives (Josh Kling and Terry Scanlan). In that conversation, Mr. Kling indicated that he continued to divert water for wildlife purposes after the hunting season to provide habitat for wintering and migrating waterfowl to "rest". The field examiner misunderstood Mr. Kling to say that he ceased diversions to allow the waterfowl to rest. Therefore, the annual volume calculation should be based on diversions continuing until March 1, 107 days total, for an annual volume of 4,350.8 acre feet (20.5 cfs x 1.9835 af/cfs x 107 days).

Two clarifications to the field exam that do not require a change to the license are as follows.

1. "Sand Run Gulch Creek Diversion" should be called be called "Sand Run Gulch Creek Spill" because water is not intentionally diverted to Sand Run Gulch Creek, but rather overflows at that location if Andrews Ditch diversions exceed downstream ditch capacity. We are not aware of any water rights served from this diversion.
2. The map titled "Flow Measurements for Permit No. 63-32066" shows the diversion just downstream of the spill to Sand Run Gulch Creek as "End of BID and lest diversions." This location is the last gravity diversion by BID from the Andrews Ditch. Further downstream on the Andrews Ditch in the NENW of Section 26 is a pumped diversion to supply the BID fields in the SW of Section 23.

We appreciate the thoroughness of the Department's field exam and the efforts put forward to prepare this license. Please contact me if you have any additional questions or comments regarding this petition.

Sincerely,

A handwritten signature in blue ink, appearing to read "Terry M. Scanlan".

Terry M. Scanlan, P.E., P.G.

Cc: Doug Bates – BID, Inc.

SPF file number: 733.0020